

RUSS AUGUST & KABAT
Benjamin T. Wang (CA SBN 228712)
bwang@raklaw.com
Andrew D. Weiss (CA SBN 232974)
aweiss@raklaw.com
Neil A. Rubin (CA 250761)
nrubin@raklaw.com
Christian W. Conkle (CA SBN 306374)
cconkle@raklaw.com
Daniel B. Kolko (CA SBN 341680)
dkolko@raklaw.com
12424 Wilshire Boulevard, 12th Floor
Los Angeles, California 90025
Telephone: (310) 826-7474
Facsimile: (310) 826-6991

Attorneys for Plaintiff
TS-Optics Corporation

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

TS-OPTICS CORPORATION,

Plaintiff,

v.

MICROSOFT CORPORATION,

Defendant.

Case No. 8:24-cv-01974-DOC-DFM

**PLAINTIFF'S CORRECTED
UNOPPOSED NOTICE OF
MOTION AND MOTION FOR
ISSUANCE OF LETTER OF
REQUEST FOR
INTERNATIONAL JUDICIAL
ASSISTANCE**

Hearing Date: Sept. 30, 2025
Time: 10:00 a.m.
Courtroom: 6Ba

**TO THE COURT AND TO ALL PARTIES AND THEIR ATTORNEYS OF
RECORD:**

PLEASE TAKE NOTICE that, pursuant to the Order Granting in Part Motion for Issuance of Letter of Request for International Judicial Assistance, entered as Dkt. 51, Plaintiff TS-Optics Corporation (“TS-Optics” or “Plaintiff”) hereby respectfully moves that the Court issue the letter of request attached hereto as Exhibit 1.

The motion has noticed for hearing on September 30, 2025, at 10:00 a.m. in Courtroom 6B of the above Court before the Honorable Douglas F. McCormick, or at such later date and time as may be set by the Court.

The motion is based on the attached memorandum of points and authorities and exhibit attached thereto.

Counsel for TS-Optics complied with the meet and confer requirement of Local Rule 7-3 before bringing this motion by meeting with counsel for Microsoft Corporation beginning on July 25, 2025. On July 28, Microsoft indicated it would not oppose the motion.

DATED: August 28, 2025

Respectfully submitted,

/s/ Benjamin T. Wang

Benjamin T. Wang (CA SBN 228712)

bwang@raklaw.com

Andrew D. Weiss (CA SBN 232974)

aweiss@raklaw.com

Neil A. Rubin (CA 250761)

nrubin@raklaw.com

Christian W. Conkle (CA SBN 306374)

cconkle@raklaw.com

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MEMORANDUM OF POINTS AND AUTHORITIES

Pursuant to the Court’s Order (Dkt. 51), Plaintiff TS-Optics Corporation (“Plaintiff”) respectfully requests that the Court issue the corrected letter of request attached hereto as Exhibit 1 (“Letter of Request”). The Letter of Request solicits assistance from the authorities of Japan (“Japan”) to obtain documents and deposition testimony from Hitachi-LG Data Storage, Inc (“HLDS”).

I. FACTUAL BACKGROUND

Plaintiff is the owner by assignment of the patents-in-suit, including U.S. Patent No. 7,266,055 (the “’055 patent”). The ’055 patent is directed at an optical pickup actuator that Microsoft is accused of, *inter alia*, using and selling. *E.g.*, Dkt. 1-2. According to Microsoft, certain aspects of the accused actuators are provided by HLDS.

Plaintiff respectfully requests that the Court issue the attached Letter of Request to the judicial authorities of Japan to allow it to seek relevant discovery about the Accused Products. *See* Exhibit 1.¹

II. ARGUMENT

The Hague Convention “procedures are available whenever they will facilitate the gathering of evidence by the means authorized in the Convention.” *Société Nationale Industrielle Aéropostiale v. U.S. Dist. Ct. for the S. Dist. of Iowa*, 482 U.S. 522, 541 (1987). Because Japan is a party to the Hague Convention, the attached Letter of Request is an appropriate means for seeking discovery from HLDS.²

As reflected in the attached Letter of Request, Plaintiff seeks, among other things, documents and testimony related to HLDS’ role in developing and selling

¹ Should the Court grant Plaintiff’s Motion for Issuance of Letter of Request, Plaintiff will obtain a certified Japanese translation of Exhibit 1.

² *See* <https://travel.state.gov/content/travel/en/legal/Judicial-Assistance-Country-Information/Japan.html> (last accessed July 29, 2025); *see also* 28 USC § 1781(b)(2) (permitting the “transmittal of a letter rogatory or request directly from a tribunal in the United States to the foreign or international tribunal, officer, or agency to whom it is addressed and its return in the same manner”)

1 the Accused Products. *See* Exhibit 1. This information is directly related to the issues
2 in this case, including but not limited to, infringement. Accordingly, Plaintiff
3 requests that the Court issue the attached Letter of Request to the judicial authorities
4 of Japan to obtain documents and testimony from HLDS that may be vital to Plaintiff
5 in this case.

6 Plaintiff has met and conferred with Microsoft, and counsel for Microsoft has
7 confirmed it does not oppose the relief sought in this motion. Microsoft also agreed
8 to waive the requirement in Local Rule 7-3 regarding waiting 7 days to file the
9 motion.

10 On August 25, 2025, the Court issued an Order granting-in-part TS-Optics’
11 original motion seeking the same relief (Dkt. 51). The Court Ordered TS-Optics to
12 “revise its Letter to remove reference to the Hague Convention on the Taking of
13 Evidence in Civil or Commercial Matters” and resubmit its letter. The revised letter,
14 as Exhibit 1, has made the requested revisions.

15 **III. CONCLUSION**

16 Plaintiff respectfully requests that the Court issue the attached Letter of
17 Request to the judicial authorities of Japan to obtain relevant documents and other
18 information from HLDS.

19
20 DATED: August 28, 2025

Respectfully submitted,

21 /s/ Benjamin T. Wang

22 Benjamin T. Wang (CA SBN 228712)

23 bwang@raklaw.com

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***Attorneys for Plaintiff
TS-Optics Corporation***

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CERTIFICATION OF L.R. 7-3 CONFERENCE OF COUNSEL

I hereby certify that on July 25, 2025, counsel for Plaintiff and Defendant held a telephonic meet and confer to discuss the issues addressed above. Defendant informed Plaintiff on July 28, 2025 that it did not oppose the relief requested.

/s/ Benjamin T. Wang
Benjamin T. Wang

CERTIFICATE OF WORD COUNT

The undersigned hereby certifies that the foregoing document contains 5,209 words, which complies with the word limit of L.R. 11-6.1.

/s/ Benjamin T. Wang
Benjamin T. Wang

CERTIFICATE OF SERVICE

I hereby certify that on August 28, 2025, I electronically filed the foregoing document with the Clerk of the Court for the Central District of California using the ECF System which will send notification to the registered participants of the ECF System as listed on the Court's Notice of Electronic Filing.

/s/ Benjamin T. Wang
Benjamin T. Wang